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<b>Notice of Allowability</b>	Application No.	Applicant(s)	
	10/698,183	SIBIET ET AL.	
	Examiner	Art Unit	
	Dennis Cordray	1731	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the communication dated July 28, 2006.
2. ☒ The allowed claim(s) is/are 3-8,10, which are now renumbered 1-7 respectively.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☐ All    b) ☐ Some\*    c) ☐ None    of the:
  1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.  
**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
  - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
    - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
  - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

- |  |   |
|--|---|
| <ol style="list-style-type: none"> <li>1. <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)</li> <li>2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)</li> <li>3. <input type="checkbox"/> Information Disclosure Statements (PTO/SB/08),<br/>Paper No./Mail Date _____</li> <li>4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit<br/>of Biological Material</li> </ol> | <ol style="list-style-type: none"> <li>5. <input type="checkbox"/> Notice of Informal Patent Application</li> <li>6. <input type="checkbox"/> Interview Summary (PTO-413),<br/>Paper No./Mail Date _____</li> <li>7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment</li> <li>8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance</li> <li>9. <input type="checkbox"/> Other _____</li> </ol> |
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## **EXAMINER'S AMENDMENT**

### ***Response to Arguments***

Applicant's arguments and amendment filed 7/28/2006, with respect to the rejection of Claims 1-10 under 35 U.S.C 103(a) have been fully considered and are persuasive. The rejection has been withdrawn.

### ***Double Patenting***

Applicants amendment has also overcome the provisional rejections of Claims 1 and 2 for obviousness-type double patenting over Claims 1 and 4 U.S. Pat. No. 7,029,554 and over Claims 1 and 2 of copending Application No. 10/992,182. Accordingly, the rejections are withdrawn.

### ***Reasons for Allowance***

The following is an examiner's statement of reasons for allowance:

The nearest prior art (Modebelu et al, US 6,217,621) recites dithionite produced by the reaction of at least a stoichiometric amount of sodium bisulfite with sodium borohydride with an additional 3.2 moles of bisulfite for each mole of sodium hydroxide used (col 3, lines 17-27). Modebelu et al prefers an excess up to 10% of bisulfite, thus establishing a value for the molar ratio of (bisulfite-hydroxide)/borohydrate of at least 8. There is no suggestion that would lead one of ordinary skill to attempt the process using less than a stoichiometric amount of bisulfite.

Hache et al (US 5,429,716) discloses using a mixture of sodium bisulfite, sodium borohydride and sodium hydroxide to de-ink recycled waste paper pulp (Abs). The composition of Hache et al is used in examples with molar ratios of (bisulfite-

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hydroxide)/borohydrate from 5.7 to 16.3 (cols 6-7, Tables 3 and 4). There is no suggestion nor would it have been obvious from the disclosure of Hache et al to use the disclosed compositions to whiten virgin mechanical pulp. Conventional de-inking processes use oxidizing and alkaline reactants for removal of ink, but use a separate bleaching step to brighten the pulp following the de-inking step, as disclosed by Callen et al (US 5,622,597, col 4, lines 1-30) and Bernard et al (US 4,865,690, col 1, lines 14-35). Hache et al also teaches a bleaching step following the de-inking step (col 9, line 23 to col 10, line 58, Table 7; col 14, lines 54-56). Thus knowledge of conventional methods of de-inking followed by bleaching would not have made the claimed invention obvious over Hache et al.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dennis Cordray whose telephone number is 571-272-8244. The examiner can normally be reached on M - F, 7:30 -4:00 PM.


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Steven Griffin can be reached on 571-272-1189. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



DRC

  
ERIC HUG  
PRIMARY EXAMINER